

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

**TARA and DONOVAN PRICE,**

**Plaintiffs,**

**V.**

**PORTFOLIO RECOVERY  
ASSOCIATES, INC.; MERCHANT’S  
CREDIT GUIDE CO.; EXPERIAN  
INFORMATION SOLUTIONS, INC.;**  
**and TRANS UNION LLC,**

**Defendants.**

**CASE NO. 3:11-3452-CMC**

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1441, Defendants Experian Information Solutions, Inc. (“Experian”), Defendant Trans Union LLC (“Trans Union”), Defendant Portfolio Recovery Associates, Inc. (“Portfolio”), and Defendant Merchants’ Credit Guide Co. (“Merchants’ Credit”) hereby file their Joint Notice of Removal of the above-captioned action to this Court and state as follows:

1. Experian and Trans Union are named Defendants in Civil Action No. 2011-CP-3204359 filed in the Court of Common Pleas for the State of South Carolina, County of Lexington (the “State Court Action”).

2. The Complaint in the State Court Action was filed with the Clerk of the Court of Common Pleas on November 16, 2011. Defendant Experian was the first defendant served and was served with the complaint on November 23, 2011.

3. This Notice is being filed with this Court within thirty (30) days after Defendant Experian received a copy of Plaintiff's initial pleading setting forth the claims for relief upon which Plaintiff's action is based.

4. A copy of all process, pleadings, and orders served upon the Defendants in the State Court Action is attached hereto as Exhibit A.

5. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a "consumer reporting agency" within the meaning of 15 U.S.C. § 1681a(f).

6. Trans Union is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Trans Union uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a "consumer reporting agency" within the meaning of 15 U.S.C. § 1681a(f).

7. Defendant Portfolio is a corporation which regularly furnishes information to one or more consumer reporting agencies about its transactions or experience with consumers, and therefore is a "furnisher of information" within the meaning of 15 U.S.C. § 1681s-2.

8. Defendant Merchants' Credit is a corporation which regularly furnishes information to one or more consumer reporting agencies about its transactions or experience with consumers, and therefore is a "furnisher of information" within the meaning of 15 U.S.C. § 1681s-2.

9. The claims of relief against all Defendants alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681u, and the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692p. Thus, this court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331, 15 U.S.C. § 1681p, and 15 U.S.C. § 1692k. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a) and (b).

10. All defendants served with the Complaint in the State Court Action consent to and join in this Notice of Removal (Exhibit B).

11. Promptly after the filing of this Notice of Removal, Defendants shall provide notice of the removal to Plaintiff through their attorney of record in the State Court Action and to the clerk of the Court in the State Court Action, as required by 28 U.S.C. § 1446(d).

Dated: December 19, 2011

Respectfully submitted,

**HAYNSWORTH SINKLER BOYD, P.A.**

By: /s/ Lindsey Carlberg Livingston  
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EXPERIAN INFORMATION SOLUTIONS,  
INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19<sup>th</sup> day of December, 2011, I have served a copy of the foregoing via United States First Class Mail, postage prepaid, addressed to:

**SERVICE LIST**

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